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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,806	05/13/2002	Christian Paulus	32226.18	7278

7590

11/04/2003

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Briggs & Morgan
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332 Minnesota Street
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EXAMINER

NGUYEN, HIEP

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 11/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,806

Applicant(s)

PAULUS ET AL.

Examiner

Hiep Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05-13-02 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 11 August 2003 is: a) ☐ approved b) ☒ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

The amendment filed on 10-28-2003 is not entered because it is improper. The amendment must include all the claims. See C37 CFR 1.121 that went into effect on 03-01-03.

The proposed drawing change filed on 08-11-03 is not approved.

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show “**the at least one input node for the input signal is connected to the at least one evaluation circuit**” in claim 1. Figure 1 shows the input node (11) that is connected to the evaluation circuit (51). Figure 3, a detail drawing of figure 1, **does not show the corresponding input node (11)**. Node (11) in figure 3 of the proposed drawing is merely the **output node** of the evaluation circuit (50) that is connected to the sub-driver circuit (20). Figure 1 and figure 3 are objected to because the details in two drawings are not compatible. For instance, in figure 1, the evaluation circuit (50) receives the input signal (13) and the output signal from the output node (12) via the feedback capacitor (41) as inputs. In figure 3, the evaluation circuit (50) receives **only one input signal** from node (12). In the Remarks, the Applicant states that the input node is node (11) shown in the proposed drawing is the input node of the driver circuit. This is not correct because the input node (11) in figure 3 is **the output of the evaluation circuit (50)** which is connected to the controls transistors (24, 34) of the sub-driver circuit (20, 30). Node (11) marked in figure 3 cannot be the input node of the driver circuit.

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 1 objected to because of the following informalities: the recitations “the subdriver(s) on line 4, “feedback capacitor(s)” on line 5 should be --the subdrivers—and --feedback capacitor--.

In claim 5, “an output node” and “an input node” should be --the output node-- and --the input node--.

In claim 6, the “input node(s) and “the evaluation circuit(s)” should be --input node-- and --the evaluation circuit--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-14, 16 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction and/or clarification is required.

Regarding claim 1, the recitation “wherein a second terminal of the second transistor of the first polarity and the second terminal of the second transistor of the second polarity are coupled to each other and to the **input node** for the input signal” on lines 17-19 is indefinite because it is misdescriptive. Figure 3 shows that the second terminal of the second transistor of the first polarity (57) and the second terminal of the second transistor of the second polarity (56) are coupled to each other and to control terminals of transistors (24) and (34) of the sub-drivers (20) and (30). As mentioned in the drawing objection, “node 11” in figure 3 of the proposed drawing cannot be the input node of the driver circuit. The Applicant is respectfully requested to point out in figure 3 of the present application what is the “real” input node of the driver circuit. Note that “node” 11, the output of circuit (50), electrically cannot be connected to the output of other circuit.

Regarding claims 4 and 5, recitations “ **two** or more evaluation circuits” and “ **two** or more feedback capacitors” are indefinite because they are misdescriptive. Figures 1 and 3 show only one evaluation circuit (51) and one feedback capacitor (41).

Regarding claim 8, the recitation “respectively” is indefinite because it is unclear what “respectively” is meant by since figure 3 shows that one control transistor (24) is connected to the evaluation circuit (50).

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Regarding claim 16, the recitation " The **use** of a driver circuit as in claim 1 to improve...) is indefinite because it merely recites a use without any active, positive steps delimiting how this use is actually practiced, *Ex parte Erlich*, 3 USPQ2d 1011 (Bd. pat. App. &Inter.1986).

Regarding claim 17, the recitation "the driver circuit as in claim 12 to improve...) is indefinite because it merely recites a use without any active, positive steps delimiting how this use is actually practiced, *Ex parte Erlich*, 3 USPQ2d 1011 (Bd. pat. App. &Inter.1986).

Claims 2, 3, 6, 7 and 9-14 are indefinite because of the technical deficiencies of claim 1.

Allowable Subject Matter

Claims 1-14, 16 and 17 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Hiep Nguyen whose telephone number is (703) 305-0127. The examiner can normally be reached on Monday to Friday from 7:30 A.M.to 4:00 P.M..

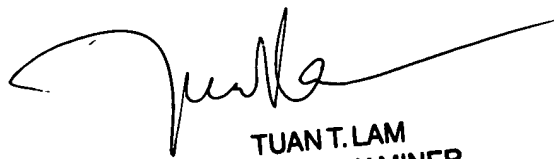
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-6251.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Hiep Nguyen

Examiner

10-29-03



TUAN T. LAM
PRIMARY EXAMINER